

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANDREAS PEFANIS, on behalf of himself and  
others similarly situated,

Plaintiff,

Case No. 08-cv-002 (DC) (DFE)

- v. -

**STATEMENT PURSUANT TO  
FEDERAL CIVIL RULE 7.1**

WESTWAY DINER, INC.,

Defendant.

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To: D. Maimon Kirschenbaum, Esq. (DK-2338)  
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*Attorneys for Plaintiff*

Pursuant to Federal Rule of Civil Procedure 7.1 undersigned counsel of record of corporate defendant WESTWAY DINER, INC. ("Corporate Defendant") states that there are no corporate parents of the Corporate Defendant and that no publicly held corporation owns any stock in the Corporate Defendant.

Dated: February 4, 2008  
Forest Hills, New York

MITCHELL & INCANTALUPO

By:                     /S/                      
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